THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 3917 of 1999

Oral order:

On the ground that the petitioners abstaining from duties without notice or reasonable cause, the respondents issued notice dated 18.02.1999 calling upon the petitioners to show cause as to why punishment of penal wage cut for eight days along with deduction of wages for the period of their absence as provided under Section 7 of the Payment of Wages Act, 1936, should not be imposed. Assailing this notice, the petitioners filed the present writ petition.

The learned counsel for the petitioners submits that since the petitioners are drawing wages of more than Rs.1600/- the provisions of Payment of Wages Act, 1936, are not applicable to the petitioners.

In fact, it is submitted by the learned counsel for the petitioners and admitted to by the learned Standing Counsel for the respondents that the issue raised in this writ petition is squarely covered by the judgment of the Division Bench of this Court in W.A. No. 6 of 1995 and batch, dated 08.04.1996.

In the circumstances, following the said judgment, and for the reasons mentioned therein, this writ petition has to be allowed and it is accordingly allowed with the directions as granted in W.A. No. 6 of 1995 and batch, dated 08.04.1996. While communicating this order, a coy of the order of the Division Bench shall be annexed. No cots.

N.V. RAMANA, J.

Dated: 7th November, 2007.
KSR